

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

: JEFFREY-MERRITT : WILSON,
Plaintiff,

v.

NBS DEFAULT SERVICES, LLC, et al.,
Defendants.

Case No. [16-cv-06253-BLF](#)

**ORDER DENYING PETITION FOR
WRIT OF HABEAS CORPUS**


[Re: ECF 10, 11]

On November 7, 2106, Plaintiff : Jeffrey-Merritt : Wilson filed a notice of petition and motion for a writ of habeas corpus and a praecipe to the clerk of the court. ECF 10, 11. Among other allegations, Wilson claims that Defendants are “restraining and conspiring to restrain [his liberty] based on an unconscionable contract, an action alleged assumpsit, presumed and operated in fraud/fiction for profit and gain under limited liability maritime insurance scheme.” Mot. 6–7, ECF 10. The motion stems from a state court proceeding related to real property. *Id.* at 13.

The writ of habeas corpus extends only to prisoners, but Wilson does not allege that he is in custody. *See* 28 U.S.C.A. § 2241. The Court further notes that there is no indication that service has been executed and thus, the motion is submitted ex parte. However, Wilson offers no authority under which the Court could grant this motion ex parte. Accordingly, and for the foregoing reasons, the Court DENIES Plaintiff’s petition for a writ of habeas corpus and praecipe to the clerk of court. For the same reasons, the Court declines to grant Plaintiff’s request for a hearing.

IT IS SO ORDERED.

Dated: November 14, 2016


BETH LABSON FREEMAN
United States District Judge